



HOUSE OF COMMONS

Dame Melanie Dawes
Ofcom, Riverside House
2a Southwark Bridge Road
London, SE1 9HA
By email

4 May 2020

Dear Dame Melanie Dawes

Re: Channel 4 Dispatches “The Truth about Traveller Crime” shown at 9pm on 16th April 2020

We write as co-chairs of the All-Party Parliamentary Group for Gypsies, Travellers and Roma in relation to the above programme.

We have now received a response to a letter we sent to Ian Katz head of programmes at Channel 4 detailing the points about which we are most concerned. We found his short response disappointing and have therefore decided to submit a formal complaint. We will of course provide our letter and his response to you if required.

Firstly, a note about the wider context. In his letter Ian Katz noted that although the production company had approached several organisations and groups, they received limited response. It may be helpful to know that many would have been hesitant to respond to a request from Hardcash Productions because of the Gypsy Wars series they made over 10 years ago. You may know that this series attracted criticism and some unpleasant reactions and it is therefore understandable that some people did not wish to get involved. In addition, you will know that there have been a fair few programmes about Gypsies and Travellers in recent years, most of which have been negative or sensationalist. It is no surprise that Gypsies and Travellers are becoming increasingly careful about responding to media requests.

Below we have listed the relevant rules in the Ofcom Broadcasting Code which we believe have been breached by Channel 4:

- Section 2 - Harm and Offence
 - 2.2 ‘Factual programmes or items or portrayals of factual matters must not materially mislead the audience.’
- Section 3 – Crime, Disorder, Hatred and Abuse

- 3.1 'Material likely to encourage or incite the commission of crime or to lead to disorder must not be included in television or radio services or BBC ODPS.'
- 3.3 'Material which contains abusive or derogatory treatment of individuals, groups, religions or communities, must not be included in television and radio services or BBC ODPS except where it is justified by the context.'
 - Ofcom Guidance Notes relating to rules 3.2 and 3.3 'Require material to be justified by the context. This means the decision to broadcast the material at all must be justified and the way in which the material is presented to the audience must be justified.'
- Section 5 - Due impartiality and due accuracy
 - Rule 5.1 'News, in whatever form, must be reported with due accuracy and presented with due impartiality.'
 - Rule 5.7 'Views and facts must not be misrepresented.'
- Section 7 - Fairness
 - Rule 7.3 states contributors should 'Be told the nature and purpose of the programme' and 'Be made aware of any significant changes to the programme as it develops which might reasonably affect their original consent to participate, and which might cause material unfairness'.

Given the large number of breaches identified and the complexity of our complaint, we have grouped our concerns together where relevant.

Rules 2.2, 5.1 and 5.7

Firstly, we would like to focus on breaches of Rule 2.2, Rule 5.1 and Rule 5.7 found in both the research conducted by the producers of the programme and also in the "facts" presented by interviewees on the programme. We believe the research and evidence used was misleading to the extent that it was a skewed programme and therefore materially misled the audience.

The presenter Anja Popp, presented two main research pieces in the programme. The first piece of research identified the postcode of 30 Traveller sites "where issues with crime and anti-social behaviour have been reported", then examined the recorded crime figures within a one-mile radius over a 12-month period. The conclusion was that "crime was a significant problem around a significant number of Traveller and Gypsy sites".

However, the validity of the research is compromised on three accounts:

1. By focussing on those Traveller sites where there were already reports of crime, rather than 30 randomly selected Traveller sites, there is an inherent bias in the sample data.
2. The sample size of 30 is not large enough to inform claims about all Traveller sites across the country.
3. The interpretation of the data indicates that a higher crime rate in an area is correlated with existence of a Traveller site in that area, while no such correlation has been established or offered to the viewer. This is both flawed and insulting to members of Gypsy and Traveller communities.

In the second piece of research presented in the programme, the researchers focus on a random sample of 237 sites across England where it is reported:

- a) 56% sites have a crime rate below the national average,
- b) 30% sites have a crime rate at least a third below national average, and
- c) 27% of sites have a crime rate at least a third above the national average.

This was summed up as “in simple terms, serious crime problems were associated with over a quarter of sites”, when in fact, the research findings revealed that there is no conclusive link between existence of a Traveller site and a higher crime rate. If anything, in the majority of places (56%), the existence of a Traveller site correlates with a lower crime rate.

This focus on the minority of sites with a crime rate above national average is an example of ‘confirmation bias’, that is, cognitive bias which favours information supporting, in this case, the approach that the producers have decided to adopt. There is no attempt to prevent confirmation bias in the two pieces of research or the reporting of that research. In addition, there is no attempt to note factors which may lead to higher crime rates in an area, including well evidenced research such as poverty, job availability, police policy or the average age of the population. The research findings which are presented are intended to uncover “The Truth about Traveller Crime”, however, they lack the basic validity and reliability needed to answer the research question.

Further to this, we are concerned that the producers chose to include a video clip of Andrew Selous MP apparently backing up some of their research findings. He says, “Some of the large supermarkets are badly affected by very high levels of shoplifting where you can talk about sometimes tens of thousands of pounds per month”. Mr Selous has every right to say what he likes but his claim is presented as fact and appears to be unsubstantiated. There is no counter argument or challenge provided.

Dispatches is a current affairs programme and it is therefore incumbent on the producers to ensure that appropriate comment is both sought and included. It seems odd that Channel 4 apparently feel it adequate to approach and be denied rather than take steps to fully ensure reliable comment from a range of trustworthy sources is available for the viewer to judge for themselves the fairness and impartiality of the program.

Overall the use of research and data appears weak. We submit that the interpretation of the research is in breach of Rule 2.2 of the Broadcasting Code as it misleads the audience whilst the lack of impartiality of the research and misrepresentation of the facts is in breach of Rules 5.1 and 5.7 of the Ofcom Broadcasting Code.

We request evidence of the research methodology on which the documentary’s content was based, particularly ethical considerations, objectivity and the selection process for Traveller sites that featured on the show.

Given the evidence set out above, do you concur that the programme materially misleads the audience? Do you believe that research and evidence was reported with due accuracy and presented with due impartiality? Do you believe an appropriate range of views and facts were presented or, that the programme lacked the adequate and relevant information which would enable viewers to come to their own conclusions?

Rules 3.1 and 3.3

Romany Gypsies and Irish Travellers are recognised ethnic groups, protected under the Equality Act 2010 and each with their own distinct histories, cultures and languages. We believe that the show is in breach of Rules 3.1 and 3.3 of the Broadcasting Code in that it has led to a proliferation of hate crime and hate speech on social media and in that it contains abusive and derogatory treatment of Gypsy and Traveller communities, with no justification by the context.

We note that Ofcom guidance notes state, “Broadcasters should take particular care in their portrayal of culturally diverse matters and should avoid stereotyping unless editorially justified. When considering such matters, broadcasters should take into account the possible effects programmes may have on particular sections of the community.”

Whilst the title “The Truth about Traveller Crime” caused hurt and harm to community members before the show even aired, the programme itself compounded the impression that Travellers overall are inclined to commit more crime than other sections of society. We hope you would agree that it is unacceptable to frame a television show around a whole ethnic group as supposed perpetrators of crime. We suggest that the producers took little or no care to avoid stereotyping of Gypsies and Travellers. Comments online and elsewhere bear out the hurt and outrage felt by many which they see as tantamount to abuse of a whole community.

We attach here a [short video made by London Gypsies and Travellers last week](#) which sums up the extent of hurt, outrage and fear being felt by Gypsies and Travellers and we would urge you to look at it.

According to research conducted by the Equality and Human Rights Commission, 44% of British adults openly express ‘negative’ attitudes toward Gypsies, Roma and Travellers, the most of any protected characteristic group in England. According to research by the Traveller Movement and GATE Herts, police officers consider hate crime to be the most common issue Gypsies, Roma and Travellers report to them, but less than 15% of hate incidences are reported to police. In airing the show, Channel 4 did not fully take into account the possible effects the programme will have on Gypsy and Traveller communities who are already victims of discrimination and hate crime. The content and the delivery of the show is likely to lead to higher levels of prejudice and hate crime against Gypsy and Traveller communities in the UK.

We also note that the Broadcasting Code indicates that there are various editorial approaches a broadcaster can take to provide context for such potentially damaging content. It states that there is less potential for a breach of Section 3.1 “if opposing viewpoints and sufficient challenge are provided [to viewers] where the programme seeks to provide examination or commentary on criminal activity in the public interest.” In their quest for “the truth” the producers gave the bulk of the content over to criminal activity, leaving little space for material which would challenge or balance such information in a wider context. For example, it included only one police officer who was anonymous and voiced by an actor, apparently giving his personal take on local crime which he is entitled to voice. If the regional police force or local authority had been approached, they would have provided a more balanced, complex response, as they have already done following the transmission.

We are aware that the production company did not approach the National Council of Chief police officers or the Gypsy Traveller Roma Police Association both of whom could have contributed with authority and where relevant, rebut some of the narration or comments pertaining to the wider national picture.

Given the evidence set out above, do you agree that the programme contains material which incites the commission of crime and disorder (namely hate crime and hate speech) and therefore should not have been broadcast? Do you agree that the programme contains abusive and derogatory treatment of Romany Gypsies and Irish Travellers? Do you agree that this was not justified by the context?

Rule 7.3

We believe that in the production of the programme, Hardcash Productions were misleading in the information that they shared with potential contributors. We believe that this meant that at least one contributor was unable to give informed consent to participate and that this caused material unfairness. Namely, we believe that in their interaction with at least one contributor, Hardcash Productions either were not honest about the nature and purpose of the programme or there was a significant change in the programme which they were not made aware of and which affected their original consent to participate. We understand that this is being resolved as a separate complaint. We would be pleased to forward you emails received by potential contributors in the research stage of the programme which outline a significantly different editorial approach.

Do you believe that all contributors to the programme were aware of the nature and purpose of the programme? Do you believe that all contributors to the programme were made aware of any significant changes to the programme as it developed which might reasonably have affected their original consent to participate? Do you agree that this caused material unfairness?

Viewer Trust

Fundamentally, the programme suggests to viewers that members of Gypsy and Traveller communities should not be trusted. In their 'Viewer Trust Guidelines' Channel 4 state, "Channel 4 has a bond of trust with its audience and a duty to ensure that viewers are not deceived or misled by our programmes. This bond must not be broken and, if it is, the most serious consequences will follow."

Given the misleading journalism and research contained in a programme which claimed to tell "The Truth About Traveller Crime?", do you believe that viewer trust has been broken by Channel 4 in this instance?

In conclusion, the Dispatches show aired by Channel 4 has caused deep hurt within Gypsy and Traveller communities and it has sown division and hatred within our society, particularly at a time when we need each other most. Very many Gypsies and Travellers have come forward to express their shock, anger and fear as a direct result of this documentary. Many feel as though they have been sentenced as criminals simply because of their ethnicity.

In light of this, we ask Ofcom to formally request information from Channel 4 and Hardcash Productions on any assessment they've made on the likely effects the programmes would have on Gypsy and Traveller communities. If not, they have failed in their duty of care as responsible broadcasters. We are keen to hear what action

Ofcom will take. We also ask what action Ofcom will be taking to address Channel 4's breaches of the Ofcom Broadcasting Code and more widely to protect Gypsies and Travellers from harmful representation on TV and the radio?

Finally, we ask the important question; what was the editorial point of the programme?

Yours sincerely



Baroness Janet Whitaker and Kate Green MP

Co-Chairs, All-Party Parliamentary Group for Gypsies Travellers and Roma